

**REMARKS**

Claims 4, 6, 7, 13, and 15-18 are all the claims currently pending in this Application.

**Claims 6 and 7**

Claims 6 and 7 are objected to as being identical. Applicants note that originally-filed claim 7 was not identical to claim 6. However, in the Amendment of February 20, 2007, claim 7 a typographical error resulted in claim 6 being accidentally duplicated instead of claim 7. Therefore, with this Amendment, the error has been corrected, and claim 7 is properly listed as originally filed. Originally filed claim 7 is not identical to claim 6.

Therefore, Applicants respectfully request that the objection to claims 6 and 7 be withdrawn.

**Claim Amendments**

Claim 6 is amended to correct a typographical error. Claims 4 and 13 are amended to recite “wherein said surface topography is the shape of concentric circles.” Applicants submit that these amendments are fully supported in the originally-filed specification at least at paragraph 46 and Figures 4a and 4b.

Entry of these amendments is respectfully requested.

**Prior Art Rejections**

Claims 4, 6, 7, 13, 15, and 16 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Yamanaka. claims 17 and 18 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Yamanaka. Applicants respectfully traverse these rejections.

Applicants submit that Yamanaka fails to teach or suggest the claimed surface topography in the shape of concentric circles.

Applicants have found that in an optical device having a surface topography as recited, for example, in claim 4 and claim 13, it is possible to increase an intensity of transmission of light even if an aperture position in an objective film is not in precise alignment with a center of incident light on a conductive film.

Yamanaka fails to teach or suggest the claimed surface topography. The optical head of Yamanaka is different from the optical module of the present invention and there is no teaching, suggestion, or motivation in Yamanaka for the claimed surface topography.

Therefore, Applicants submit that claims 4 and 13 are patentable over Yamanaka and that claims 6, 7, and 15-18 are patentable at least by virtue of their dependence. Applicants respectfully request that the prior art rejections of the claims be reconsidered and withdrawn.

### **Conclusion**


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

**AMENDMENT UNDER 37 C.F.R. § 1.111**  
Application No.: 10/623,657

**Q75241**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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